

**REMARKS**

This Amendment, submitted in response to the Office Action dated July 29, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-19 are all the claims pending in the application.

Claims 1 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aweva et al. (U.S. Patent No. 6,894,974) in view of Hayakawa (U.S. Patent No. 5,042,029). Claims 2, 4-5, 7-11, and 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayakawa in view of Aweva as applied to claim 1, and further in view of Guttman et al. (U.S. Patent No. 7,031,259). Claims 6 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayakawa in view of Aweva as applied to claims 1 and 7, and further in view of Norrell et al. (U.S. Patent No. 6,853,637). Claims 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aweva in view of Hayakawa as applied to claim 1, and further in view of Lohman et al. (U.S. Publication No. 2002/0154629).

As indicated above, Applicant's undersigned representative conducted an interview with Examiner Bokhari for the above identified application. Amendments to the claims were discussed. Applicant submits that the claims as amended should place the application in a condition for allowance. Further, the prior art cited by the Examiner does not teach the elements of claims 1, 7, 13 and 19.

For example, the prior art cited by the Examiner does not teach or suggest:

"a queue status monitor; and a congestion control adjuster,

wherein the queue status monitor monitors a queue status of at least one of the transmitted data packets and the response signals, and

wherein the congestion control adjuster instructs the receiver to hold or compress the response signals based on the monitored queue status.”

Therefore, claims 1, 7, 13 and 19 and their dependent claims should now be allowed.

## **II. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

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